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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,114	03/06/2001	Heinrich Lang	LMX-129	2747
27863	7590	11/13/2003	EXAMINER	
MCNAIR LAW FIRM P.O. BOX 10827 GREENVILLE, SC 29603-0827			SHAHER, RICKY D	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 11/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/800,114

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKETT NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) MR. CORT FLINT (3) RD. SHAFER
(2) MR. SEANN P. LAHEY (4) _____

Date of interview 11/06/03

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: _____

Agreement ☒ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: CLAIM 10 IN THE PROPOSED AMENDMENT FILED ON 10/01/03.

Identification of prior art discussed: N/A

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: MR. FLINT & LAHEY ARGUED THAT CLAIM 10, AS AMENDED, DOES NOT CONSTITUTE A NEW ISSUE AND THE AMENDMENT FILED ON 10/01/03 SHOULD BE ENTERED. THE EXAMINER DISAGREES AND STATES THAT CLAIM 10 IS OF A DIFFERENT SCOPE THAN THAT OF CLAIM 12 WHICH REQUIRES FIRST AND SECOND RECESSES TO ENCASE THE HOLDING TUBE. CLAIM 10, AS PROPOSED, ONLY REQUIRES THAT THE FRAME ELEMENT & THE CLAMPING PART COOPERATE TO CIRCUMFERENTIALLY ENCLOSE AND CLAMP AROUND THE HOLDING TUBE. SINCE THE PROPOSED AMENDMENT TO CLAIM 10 IS OF A DIFFERENT SCOPE THAN THE CLAIMS PREVIOUSLY CONSIDERED AND/OR ALLOWED THE PROPOSED AMENDMENT WOULD RAISE NEW ISSUES THAT WOULD REQUIRE FURTHER CONSIDERATION AND/OR SEARCH. IN ADDITION, THE PROPOSED AMENDMENT DOES NOT PLACE THE APPLICATION IN BETTER FORM FOR APPEAL BY MATERIALLY REWORKING OR SIMPLY FILING THE
(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)
ISSUES FOR APPEAL.

☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Ruby S. Shif
Examiner's Signature